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	EXAMINER
	POON,K

005514   LM31/0224
FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK NY 10112

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

☐ Responsive to communication(s) filed on _____

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire ____ **3** ____ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) *1-24, 26-75, and 77-106* _____ is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1-24, 26-75, and 77-106* _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

   ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

      ☒ received.

      ☐ received in Application No. (Series Code/Serial Number) _____ .

      ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   *Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by
> the manner in which the invention was made.

2.   Claims 1-6, 12-15, 19, 20, 23-25, 27, 32-37, 52-57, 63-66, 70, 71, 74-76, 78, 83-

88, 103 and 104 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al.

Regarding claim 1: Morgan discloses a status collector (server)(see # 10 of fig.1) that

acquires status from printers and in response to a status request, outputs printers' status.

(Response information output means)(See column 3 line 16-26) Morgan also teaches that the

status collector is arranged to have an appropriate message displayed on an operator console

whenever one of the printer needs paper. (See column 7 line 43-50) (preparing response

information for a response medium (printer) in text form (message) by combining a message

corresponding to a determined response content with an opening or closing phrase that is

characteristic of the response medium) Even though Morgan does not disclose a response content

determination means and a response information preparation mean, it would have been obvious

that the status collector is also a response content determination mean and a response information

preparation mean.   The status collector would have to determine and prepare the information

(content) that is to be sent. This is because it would not be desirable for the status collector to send out "printer OK" while the printer is not operable.

Regarding to claim 2: Morgan teaches to send status information to LAN components. (See fig. 1 and column 3 line 23) It would have been obvious that the information sent has to be in a form understandable by the medium at the response addressee because it would not make sense for the status collector to send information intended for a workstation but send it to a fax machine instead.

Regarding claim 4: Morgan teaches to use an event field to indicate what specific activity or event occurred that the status collector is currently being notified of. (Column 12 line 25-33) In other words, if there are events occurred at the same time, the event field would indicate them all.

Regarding claim 5 and 6: Morgan teaches to use a centralized storage to store information for components connected to a network (see column 8 line 9-25) and the status collector is connected to the network. (See fig.1) It would have been obvious in preparing information, certain rules would have to apply. This is because it would not have been desirable to send a "printer OK" response at one time and a "printer not OK" response at another time when actually at both times, the printer is fine.

Regarding claims 12-14: Morgan teaches to transmit printer status to other components in an LAN. (See fig. 1 and column 3 line 15-25) In fig. 1, Morgan shows that other components include a database management system (#53) and a file management system. (#24)

Regarding claim 15: Morgan discloses an LAN (see fig. 1 and column 33 line 38) It is well known in the art that an LAN can be added onto Internet and in the Internet, a home page could be used to transmit information (printer status). It would have been obvious for one of ordinary skill in the art to connect the LAN onto Internet and use a home page for status information because it would have allowed a user travels to a far away area and still be able to use and monitor the printer system and it would be desirable for the user.

Regarding claims 19 and 37: Morgan discloses a status collector (server) (see # 10 of fig.1) that acquires status from a printer and in response to a status request, outputs printer status. (Response information output means) (See column 3 line 16-26) Morgan also teaches to response to a status request of the printer form other components in a network. (determine a response addressee depending upon the acquired status) (Response addressee determination mean)(see column 7 line 30-42) and to output printer status to the requested component. (Addressee) Even though Morgan does not disclose a response procedure determination (designation) mean and a response information preparation mean, it would have been obvious that the status collector is a response procedure determination (designation) mean and a response information preparation mean. The status collector would have to determine (designate) the procedure in preparing the information that is to be sent because the status collector would not be able to output status information without knowing the procedure of preparing the status for outputting. (Preparing response information to be output to the addressee)

Note: when sending a message back to the status requesting unit, the determination mean would have to determine where to send the message depending on what the message is intended for. (Acquired status) If the acquired status is to be sent to status requesting unit A, the determination unit would have to determine that the status is to be sent to the status requesting unit A and not other units.

Regarding to claim 20: Morgan teaches that the status collector would have to select a response procedure in sending status to a file server (# 24 of fig. 1) from a plurality of available procedures. The available procedures include procedures of sending status to a resource, a file server, (#26 of fig. 1), and a printing client. (#18a of fig. 1)

Regarding claim 23: In sending status information, the status collector would have to know what status (content) is to be sent.

Regarding to claim 24 and 25: Morgan teaches to send status information to different response medium and addressee. (See the file serve, the service manager of fig. 1) Therefore, the status collector would have to designate a response medium and addressee.

Regarding claim 27: Morgan teaches to send status information to a file server and to a service manager. (See fig. 1) It would have been obvious that the service manager and the file server speak different language because a file server is a computer and would only understand binary code while a service manger could only speak English.

Regarding claims 3 and 32: Morgan teaches to use a centralized storage to store information for components connected to a network (see column 8 line 9-25) and the status collector is connected to the network. (See fig.1)

Regarding claims 33, 34, 35, and 36: Applicant admits that fig. 3 of this application is prior art. In figure 3 of this application, the status data "state 0" indicates a single status and status data " state 0, state 1" indicates a plurality of status. The status information " copy paper out "would change with time and other status such as ink is low could happen at the same time.

Regarding claims 52-57, 63-66, 70, 71, 74-76, 78, 83-88: Those claims are method claims claiming the method for the apparatus discussed the claims 1-6, 12-15, 19, 20, 23-25, 27, 32-37. See the discussion on those claims.

Regarding claims 103: Morgan discloses a print server (see fig. 1) to store a program to control the server (computer) to perform the function as discussed in claim 1.

Regarding claims 104: Morgan discloses a print server (see fig. 1) to store a program to control the server (computer) to perform the function as discussed in claim 19.

3.   Claims 7-9, 58-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al in view of Kageyama et al.

Regarding claims 7-9, Morgan et al. have disclosed all of the claim limitations except using an electronic mail for response. Kageyama teaches to use an electronic mail status report in his print network. (See fig. 3 and # 7522 of fig. 20) Morgan and Kageyama are combinable because they are both from the same area of sending printer status in a network environment. At

the time of invention, it would have been obvious to one of ordinary skill in the art to use an

electronic mail response method for Morgan's status report. The suggestion of using an

electronic mail response method is desirable because electronic mail is a common feature in a

network environment. It would save money for a user to use an existing feature when compare to

implementing new ways of communication. Therefore, it would have been obvious to combine

Morgan and Kageyama to obtain the invention as specified in claims 7-9.

Note: It is well known in the art that an electronic mail transmits data in text form and

would include an opening sentence (mail header) indicating to whom the mail is sending to and

a subject (a closing sentence or a mail footer) indicating what the mail is about.

Regarding claims 58-60: Those claims are method claims claiming the method for the

apparatus discussed the claims 7-9. See the discussion on those claims.

4.   Claims 10-11, 16, 18, 61, 62, 67, 69 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Morgan et al. In view of Wernikoff et al.

Regarding claims 10-11, 16, 18: Morgan has disclosed all of the claims limitations except

showing the use of a phone and a facsimile machine. Wernikoff teaches to use a phone and a

facsimile machine to send status information. (See column 12 line 1-25 abstract and column 3

line 40-45) Morgan and Wernikoff are combinable because they are from the same area of

sending status information. At the time of invention, it would have been obvious to one of

ordinary skill in the art to use a phone and a facsimile machine to send status data in Morgan's

invention. The suggestion of using a phone and a facsimile machine to send status data in

Morgan's invention would have allowed Morgan to transmit status information in case of electronic mail malfunction and status report cannot be transmitted by electronic mail. Therefore, it would have been obvious to combine Morgan and Wernikoff to obtain the invention as specified in claims 10, 11, 16, and 18.

Note: A portable telephone is a phone and a phone is used to transmit voice. (Sound)

Regarding claims 61, 62, 67, 69: Those claims are method claims claiming the method for the apparatus discussed the claims 10, 11, 16, 18. See the discussion on those claims.

5.   Claims 17 and 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al. In view of Barrett.

Regarding claim 17 and 68: Morgan has disclosed all of the claim limitations except outputting status information to a pager. Barrett teaches to send status information to a pager. (See column 8 line 41-45 and column 9 line 24) Morgan and Barrett are combinable because they are from the same area of sending status information. At the time of invention, it would have been obvious to send status in Morgan's print system to a pager. The suggestion of sending status to a pager in Morgan's print system would have a user to know about the status of a printer anywhere he goes. Therefore, it would have been obvious to combine Morgan and Barrett to obtain the invention as specified in claims 17 and 68.

6.   Claims 21, 22, 26, 28, 29, 30, 31, 38-51, 72, 73, 77, 79, 80, 81, 82, 89-102, 105 and 106 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al. In view of Hayashi et al.

Regarding claims 21, 22, 26, 29: Morgan has disclosed all of the claims limitations except showing the determination a response procedure in consonance with the degree of importance of the status, and whether the response is to be sent out right the way depending on a condition that the status is important or to be sent out at a later time. Hayashi teaches to determine the importance of a status (see column 30 line 21-25) and according to the importance of the status, determine to send a response right the way or at a later time. Morgan and Hayashi are combinable because they are in the same area of sending status information. At the time of invention, it would have been obvious to one of ordinary skill in the art to allow Morgan's response procedure determination mean to determine the importance of a status and according to the importance of the status, determine to send a response right the way or at a later time. The suggestion of allowing Morgan's response procedure determination mean to determine the importance of a status and according to the importance of the status, determine to send a response right the way or at a later time would have allowed Morgan to send status information at a time that the network is not busy and reduce traffic in peak time. Therefore, it would have been obvious to combine Morgan and Hayashi to obtain the invention as specified in claims 21, 22, 26, and 29.

Regarding claim 28: Morgan has disclosed all of the claim limitations except showing the determination a degree of detail in an explanation. Hayashi teaches to determination whether to send an "error" message or a more detail massage"service man call". (see column 30 line 1-3) Morgan and Hayashi are combinable because they are in the same area of sending status

information. At the time of invention, it would have been obvious to one of ordinary skill in the art to allow Morgan's response procedure determination mean to determine a degree of detail in an explanation. The suggestion of allowing Morgan's response procedure determination mean to determine a degree of detail in an explanation would have allowed Morgan to send less information. This would increase system efficiency. Therefore, it would have been obvious to combine Morgan and Hayashi to obtain the invention as specified in claim 28.

Regarding claims 30 and 31: Morgan has disclosed all of the claims limitations except showing the determination of a re-response procedure. Hayashi teaches to determination a re-response procedure. (See fig. 52) Morgan and Hayashi are combinable because they are in the same area of sending status information. At the time of invention, it would have been obvious to one of ordinary skill in the art to allow Morgan's response procedure determination mean to determine a re-response procedure. The suggestion of allowing Morgan's response procedure determination mean to determine a re-response procedure would have allowed Morgan to send status information at a time when the system is not busy. This would ensure the transfer of important status to a destination and is desirable. Therefore, it would have been obvious to combine Morgan and Hayashi to obtain the invention as specified in claim 30 and 31.

Note: In fig. 52, the longer the human flag is set, the larger the number of re-response there is.

Regarding claims 38 and 39: Morgan has disclosed all of the claims limitations (see discussion of claim 19) except disclosing a response result determination mean and a re-response

control mean. Hayashi teaches to determine whether a response has failed (fig. 52 The human

body set is an indication of failed response) and to determine to re-response. (The return in fig.

52 is an indication of re-response) Morgan and Hayashi are combinable because they are in the

same area of sending status information. At the time of invention, it would have been obvious to

one of ordinary skill in the art to provide a response result determination mean and a re-response

control mean for Morgan's response apparatus. The suggestion of providing a response result

determination mean and a re-response control mean for Morgan's response apparatus would have

allowed Morgan to detect the result of response and to re-response if the response has failed. This

would ensure that the transfer of important status can reach the destination. Therefore, it would

have been obvious to combine Morgan and Hayashi to obtain the invention as specified in claims

38 and 39.

Regarding claims 44 and 45: Morgan has disclosed all of the claims limitations (see

discussion of claim 1, 2, and 38 except specifying that the determination mean would have to

determine whether a person is prepared to handle the response or not. Morgan teaches to send

response to a service manger who is a person. (See fig. 1) Therefore, the determination mean

would also have to determine whether the manager is prepared to handle the response or not.

Otherwise, it would not make sense to implement the determination mean in Morgan's status

transferring method in the case of sending status response to the service manager.

Regarding claims 40 and 46: Morgan teaches that the response procedure includes a

plurity of procedures such as the procedure of sending response to a file server and a procedure

of sending response to a service manager. (See fig. 1)

Regarding claims 41, 47 and 49: Hayashi teaches to use a reply (status) to send back to

the response party (See received results of communication of fig. 74) so that the response party

could determine whether a response has failed.

Regarding claims 42 and 48: Hayashi teaches that response failure could be indicated

when a predetermined time has elapsed. (See timer>3min in fig. 74)

Regarding claims 43 and 50: Hayashi teaches to change the timer of fig.74 (see fig. 75) If

the timer has changed in between the response and re-response, then the procedure of comparing

a time of 3min would be different from a procedure of comparing a time of 20 min.

Regarding claim 51: It would have been obvious that the determination mean would have

to determine what to transfer before it could transfer or otherwise, what it transfer would not

have made senses to the receiving party.

Regarding claims 72, 73, 77, 79, 80, 81, 82, 89-102: Those claims are method claims

claiming the method for the apparatus discussed the claims 21,22, 26, 28, 29, 30, 31, 38-51. See

the discussion on those claims.

Regarding claims 105 and 106: Morgan discloses a print server (see fig. 1) to store a

program as discussed in claim 89.

REMARKS

7.   Applicant's arguments with respect to claims 1, 19 have been considered but are moot in

view of the new ground(s) of rejection. "Response information preparation mean for preparing

response information for a response medium in text form", "response addressee determination

means" are new limitations. Please see office action.

Applicant's argument about claims 38, 89, 105 that " . . . when a response has failed, the

re-response control means permits the response procedure determination means to determine re-

response procedures and the response information preparation means to prepare re-response

information in accordance with the re-response procedure. None of the cited references, alone or

in combination, disclose at least this claimed feature" has been considered. In reply, Hayashi

teaches to determine whether a response has failed (fig. 52 The human body set is an indication

of failed response) and to determine to re-response. (The return in fig. 52 is an indication of re-

response) Fig. 52 show program steps describing how the copier of Hayashi is to communicate

with a control device (note: communication of status is also a communication between the copier

and the control device) For example, a control device is requesting status from a copier. After

the copier has received the status request, the copier sends a status. While the copier is sending a

status to the control device and a human is present, the communication is being cut off between

the copier and the control. (Response of status has fail) According to fig. 52, the copier would

continue to check for re-responding to the status request. After the human flag is erased,

communication restarts again and status is again sent from the copier to the control. (Re-

response) The copier would again have to prepare for a status to be sent to the control. (Prepare

re-response procedure and re-response information)

Applicant's argument about claims 44, 95, 106 that " claim 44 further recites re-response

control means. When the determination means determines that a person is not prepared to handle

the response, the re-response control means permits the response procedure determination means

to determine re-response procedure. The re-response control means also permits the response

information preparation means to prepare re-response information in accordance with the re-

response procedure . . . a determination means for employing the status at the response addressee

to determine whether or not the response addressee if prepared to handle the response . . . none

of the cited references, alone or in combination discloses these claim features" has been

considered. In reply, the re-response control means is discussed in discussing the argument on

claim 38, 89, 105.

Regarding the part that "a determination means for employing the status at the response

addressee to determine whether or not the response addressee is prepared to handle the

response": Morgan teaches to send response to a service manger who is a person. (See fig. 1)

Therefore, the determination mean would also have to determine whether the manager is

prepared to handle the response or not. Otherwise, it would not make sense to implement the

determination mean in Morgan's status transferring method in the case of sending status response

to the service manager. In other words, if the copier is having a human presented to use the

copier, the copier would not have sent status to a service manager. The service manager is

determined to be unprepared to handle the response because there would not have been any status

for the service manager to handle at all.

Action is Final, Necessitated by Amendment

8.   Applicant's amendment necessitated the new ground of rejection presented in this office

action. Therefore, THIS ACTION IS MADE FINAL. See MPEP 706.07(a). Applicant is

reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTHS shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Conclusion

9.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to King Y. Poon whose telephone number is (703) 305-0892 or to Supervisor

Mr. David Moore whose phone number is (703) 308-7452.

February 17, 2000

DAVID K. MOORE
SUPERVISORY PATENT EXAMINER
GROUP 2700